



**DEPARTMENT OF HOMELAND SECURITY**

**Billing Code: 9111-97**

**U.S. Citizenship and Immigration Services**

[OMB Control Number 1615-0124]

**Agency Information Collection Activities:** Consideration of Deferred Action for Childhood Arrivals, Form I-821D, Revision of a Currently Approved Collection.

**Action: 60-Day Notice.**

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**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub.L.104-13, 44 U.S.C. 35), on August 15, 2012, the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), submitted an information collection request, utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance. OMB approved the information collection request. DHS is now requesting OMB approval of a revision and extension of the approved information collection.

**DATES:** Comments are encouraged and will be accepted for sixty days until [Insert date 60 days from date of publication in the Federal Register].

**ADDRESSES:** Written comments and suggestions regarding items contained in this notice, and especially with regard to the estimated public burden and associated response time should be directed to: DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue, NW, Washington, DC 20529-2140. Comments may be submitted to DHS via e-mail at [uscisfrcomment@uscis.dhs.gov](mailto:uscisfrcomment@uscis.dhs.gov) and must include OMB Control Number 1615-0038 in the subject box. Comments may also be submitted via the Federal eRulemaking Portal at

[www.Regulations.gov](http://www.Regulations.gov) under e-Docket ID number USCIS-2012-0012.

All submissions received must include the agency name and Docket ID.

Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at [www.Regulations.gov](http://www.Regulations.gov), and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or that is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of [www.Regulations.gov](http://www.Regulations.gov).

## **ISSUES FOR COMMENT FOCUS**

DHS, USCIS invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act of 1995, the information collection notice is published in the Federal Register to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (i.e., the time, effort, and resources used by the respondents to respond).

For Form I-821D, USCIS is especially interested in the public's experience, input, and estimates on the burden in terms of time and money incurred by applicants for the following aspects of this information collection:

- The time burden incurred by preparers (persons who assist the respondent with the preparation of the form) who are not paid.

- For preparers who are paid, the time and expense to the respondent to find and secure such preparers for assistance.
- The amount that paid preparers charge for their services.
- The time required to obtain supporting documents for Form I-821D.
- The monetary costs incurred to obtain supporting documents from sources such as a landlord, church, utility, public agency (housing, social services, law enforcement), school, medical care provider, advocacy group, law firm, or military service.
- The average time required and money expended to secure secondary evidence such as an affidavit.
- The percentage of total applicants who require English translations of their supporting documents.
- The percentage of supporting documents for each individual applicant that require translation into English.
- The time required to find, hire, or otherwise obtain translations of supporting documents for immigration benefit requests.
- The average out of pocket monetary cost if any to obtain translations of supporting documents when required.

In addition, in order to truly be helpful to the improvement of this form and program written comments and suggestions concerning the collection of information are requested to provide clear and specific suggestions on the data elements on the form and the evidence required to be submitted with a focus on one or more of the following four points:

- (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (2) The accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (3) How to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How to reduce or minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

- (1) **Type of Information Collection:** Revision of a currently approved information collection.
- (2) **Title of the Form/Collection:** Consideration of Deferred Action for Childhood Arrivals.
- (3) **Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:** Form I-821D, U.S. Citizenship and Immigration Services.
- (4) **Affected public who will be asked or required to respond, as well as a brief abstract:** Primary: Individuals or Households. The information collected on this form is used by USCIS to determine eligibility of certain individuals who were

brought to the United States as children and meet the following guidelines to be considered for deferred action for childhood arrivals:

1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching their 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were present in the United States on June 15, 2012, and at the time of making their request for consideration of deferred action with USCIS;
5. Entered without inspection before June 15, 2012, or their lawful immigration status expired as of June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

These individuals will be considered for relief from removal from the United States or from being placed into removal proceedings as part of the deferred action for childhood arrivals process. Those who submit requests with USCIS and demonstrate that they meet the threshold guidelines may have removal action in their case deferred for a period of two years, subject to renewal (if not terminated), based on an individualized, case by case assessment of the individual's equities. Only those individuals who can

demonstrate, through verifiable documentation, that they meet the threshold guidelines will be considered for deferred action for childhood arrivals, except in exceptional circumstances.

(5) **An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:** 700,000 responses at 2 hours and 45 minutes (2.75 hours) per response.

(6) **An estimate of the total public burden (in hours) associated with the collection:** 1,925,000 annual burden hours.

If you need a copy of the information collection instrument with instructions, or additional information, please visit the Federal eRulemaking Portal at [www.Regulations.gov](http://www.Regulations.gov). We may also be contacted at: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, 20 Massachusetts Avenue, NW, Washington, DC 20529-2140, Telephone number 202-272-8377.

December 11, 2012

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**Laura Dawkins,**

**Date**

Chief,

Regulatory Coordination Division,

Office of Policy and Strategy,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.

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